

AO 91 (Rev. 11/11) Criminal Complaint

**UNITED STATES DISTRICT COURT** United States Courts Southern  
for the District of Texas  
Southern District of Texas  
FILED  
01/30/21

United States of America  
v.  
Brenda CORTEZ, Y.O.B. 1982, USC

Nathan Ochsner, Clerk of Court  
Case No. M-21-0249-M

Defendant(s)

**CRIMINAL COMPLAINT**

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of January 29, 2021 in the county of Starr in the  
Southern District of Texas, the defendant(s) violated:

<i>Code Section</i>	<i>Offense Description</i>
21 USC 841 (a) (1)	-Knowingly and intentionally possess with intent to distribute approximately 11.22 kilograms of cocaine, a Schedule II Controlled Substance under the Controlled Substance Act and approximately 14.54 kilograms of marijuana, a Schedule I Controlled Substance under the Controlled Substance Act
21 USC 952	-Knowingly import to the United States from Mexico approximately 11.22 kilograms of cocaine, a Schedule II Controlled Substance under the Controlled Substance Act and approximately 14.54 kilograms of marijuana, a Schedule I Controlled Substance under the Controlled Substance Act

This criminal complaint is based on these facts:

See Attachment "A"

☒ Continued on the attached sheet.

Complaint authorized by AUSA A. Castro

/s/ Oscar Ysaguirre

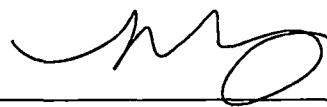
Complainant's signature

Oscar Ysaguirre, Special Agent, HSI

Printed name and title

Sworn to and executed by reliable electronic means per Fed. R.  
Cr. P. 4.1, and probable cause found on:

Date: 01/30/2021 @3:58pm



Judge's signature

City and state: McAllen, Texas

Nadia S. Medrano, U.S. Magistrate Judge

Printed name and title

Attachment "A"

I, Oscar Ysaguirre, a Special Agent (SA) with United States Immigration and Customs Enforcement, Homeland Security Investigations, being duly sworn, depose and say the following:

On January 29, 2021, at approximately 11:00 PM, U.S. Customs and Border Protection (CBP) Officers encountered Brenda CORTEZ as she made entry to the U.S. from Mexico at the Roma, Texas Port of Entry. CORTEZ was the driver and registered owner of a red Ford Explorer with State of Texas license plates. CORTEZ provided a negative declaration to CBP and was referred for a secondary inspection.

During secondary inspection, CBP Officers located ten (10) bricks containing a compressed white powdery substance and thirteen (13) bricks containing a compressed green leafy substance concealed within the driver and passenger side rocker panels of the vehicle. CBP Officers field tested the substances, which tested positive for cocaine and marijuana respectively. The total weight of the cocaine was approximately 11.22 kilograms and the total weight of the marijuana was approximately 14.54 kilograms.

HSI SA Oscar Ysaguirre was contacted and responded to assist with the investigation. Once SA Ysaguirre arrived at the port, he and CBP Officer Alejandro Pena interviewed CORTEZ. CORTEZ was read her Statement of Rights in the Spanish language and agreed to speak with Agents.

During the interview, CORTEZ denied having any knowledge of how the narcotics came to be in her vehicle. CORTEZ admitted she was the owner and primary operator of the vehicle and stated she has owned the vehicle for approximately one (1) year. Database checks indicate CORTEZ routinely travels to and from Mexico in said vehicle. Additional checks revealed CORTEZ was the registered owner of a vehicle used to smuggle approximately 453 pounds of marijuana in 2017. Furthermore, on October 26, 2019, CORTEZ was driving a vehicle which was found to have an empty man made compartment consistent with narcotics smuggling. This vehicle was subsequently seized by law enforcement officers.

CORTEZ was placed under arrest for violations of Title 21, United States Code, section 841(a)(1), Possession With Intent to Distribute a Controlled Substance, and section 952, Importation of a Controlled Substance.